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Nichia Corporation

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

Nichia Corporation

Plaintiff,

vs.

Seoul Semiconductor Co., Ltd., Seoul
Semiconductor, Inc., Creative Technology,
Ltd., Creative Labs, Inc., and Creative
Holdings, Inc.

Defendants.

Case No: 3:06-CV-0162-MMC (JCS)

**STIPULATION AND ~~PROPOSED~~ ORDER
REGARDING DEADLINE FOR SEOUL
SEMICONDUCTOR TO FILE AND
SERVE REPLY BRIEF REGARDING ITS
CLAIM CONSTRUCTION AND MOTION
FOR SUMMARY JUDGMENT**

Hearing Date: July 27, 2007
Hearing Time: 9:00 am
Judge: Maxine M. Chesney
Magistrate Judge: Joseph C. Spero

1 Plaintiff Nichia Corporation (“Nichia”) and Defendants Seoul Semiconductor Co., Ltd.,
2 Seoul Semiconductor Inc., (collectively “Seoul”), file this Stipulation and Proposed Order to
3 extend the time for Seoul to serve and file its Reply Brief regarding its Motion for Claim
4 Construction and for Summary Judgment.

5 **RECITALS**

6 1. On May 18, 2007, the parties attended the Case Management Conference before
7 this Court. At that conference, the Court set the hearing date and briefing schedule for any and
8 all motions for summary judgment.

9 2. The hearing on the parties’ motions for summary judgment is set for 9:30 am on
10 July 27, 2007. The parties agreed to a modified briefing schedule in order to provide the Court
11 with additional time to read and analyze the briefs and supporting papers. Opposition briefs and
12 supporting papers were due on June 29, 2007, and reply briefs are due on July 6, 2007. Finally,
13 the parties agreed to serve the briefs and supporting papers directly by e-mail transmission in
14 order to preserve the confidentiality of certain facts and exhibits set forth in the papers.

15 3. Seoul properly and timely served and filed its opposition on June 29, 2007.
16 Nichia experienced significant technical difficulties and was unable to make a complete
17 electronic filing of the redacted, non-confidential portions of its opposition and supporting
18 papers on June 29, 2007. Nichia served Seoul with Nichia’s unredacted opposition and
19 supporting declarations on June 29 and completed that service on June 30, 2007, but was unable
20 to serve a redacted version of the papers and served an incomplete version of the Declaration of
21 Michael Song in Support of the Opposition.

22 4. On July 2, 2007, Nichia will serve Seoul with a redacted copy of its Opposition
23 and a Corrected Declaration of Michael Song and a redacted version of the Corrected
24 Declaration of Michael Song.

25 5. In order to avoid any undue prejudice or delay, Nichia proposes that Seoul shall
26 have until July 9, 2007 to prepare, file and serve Seoul’s Reply brief and supporting papers.

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STIPULATION

Accordingly, the parties stipulate as follows:

1. The parties incorporate the recitals set forth above.
2. Seoul shall file and serve its reply and any supporting papers on or before July 9, 2007.

DATED: July 2, 2007

Foley & Lardner LLP
Nancy J. Geenen

/s/

Attorneys for Plaintiffs, Nichia Corporation

DATED: July 2, 2007

Bingham McCutchen LLP
Beth H. Parker


/s/

Attorneys for Defendants, Seoul
Semiconductor Co., Ltd., Seoul
Semiconductor, Inc.

ORDER

IT IS SO ORDERED.

DATED: July 3, 2007


Maxine M. Chesney,
Judge, United States District Court